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JAMES BARR AMES—HIS PERSONAL INFLUENCE.

THE suggestion that the HARVARD LAW REVIEW be established met at once with the response: "Let's consult Mr. Ames. If he approves, we'll do it." The project received his cordial support: the editors, his encouragement and advice. Naturally, the place of honor in the first number was given to his article on "Purchaser for Value," — the first of a long series of brilliant essays, in which he revealed the results of his researches in the history of the common law and equity and their application to the legal problems of to-day. Through the REVIEW, his influence has extended far beyond the students of Harvard Law School and those who have come within their sphere of work; throughout our country and England, his contributions to legal history have stimulated younger scholars and have awakened an interest to plow in this too long neglected field.

His oft-times novel theories, especially in the law of trusts, are gradually gaining recognition in the courts. No other man has so influenced the development of the law of quasi-contracts in this country, both directly and through his students and colleagues. These subjects engaged him, because they, more than any others, gave larger scope for his insistence on the ethical aspects of the law and better opportunity to make legal principles produce just results.

His direct influence on legislation began with the searching criticism to which he subjected the Uniform Negotiable Instrument Act in a series of articles published in this REVIEW. Unfortunately they came too late to effect much needed changes in its provisions. But even though his influence was but slight in respect to this legislation, it was profound on the further work of the Commission. He not only participated therein as Commissioner from Massachusetts, but either personally or through his disciples, who have drafted all of the subsequent acts, he has had a predominating influence in shaping both the form and the content of this work, destined to be the foundation of the commercial law of the United States.

The law schools of the country generously acknowledge their indebtedness to him. His advice was constantly sought by university presidents and trustees in founding schools and in selecting law faculties, as well as by professors in prosecuting their own researches: in the Association of American Law Schools he was the leader. No narrow university lines hemmed in his sympathy. The only rivalry between the schools that he recognized was that of producing, out of the raw material, lawyers capable of sound reasoning, men devoted to the right use of their training in the interests of their fellow men and their country.

Through the graduates of his own School, as lawyers, judges, writers, and particularly as teachers, his labors are exerting a fertilizing influence on American jurisprudence. Much that he first taught has now become the common property of the profession.

Fitted as are few for original research, endowed with unrivaled power in extracting sound principles from the bewildering maze of decisions, skilled in the highest degree in generalization, he could in the judgment of many ill afford to spare the time demanded by his students, especially since he became Dean of the Harvard Law School. But for him, their needs came first; to them he gave his time, his thought, himself in unbounded measure. A student, perplexed over a legal problem, could interrupt him in any work and be sure of his help. He gave this both in his study and in the class room, not by direct answer but by suggesting the sources through the investigation of which the student himself would find the solution.

He was the ideal teacher, courteous and patient. If he led the student to the brink of a precipice, he did not let him fall over: he never failed to indicate the path back to safety. Modestly, in all discussions, he placed the student on his own level; both, apparently, were groping in the wilderness for the truth; and while he would give possible clues, he was ever ready to discuss the student's suggestions and to follow them until it became apparent to the whole class that they led only to confusion. Then, through further questioning, he gradually disclosed the true path to the light. And if, at times, one or the other man wandered away from his leading and opened up new roads to the goal, his acknowledgment was as quick as it was hearty. Following the earlier methods of that master mind, Langdell, he aimed not so much to impart information, as to develop the analytical powers of the men, to make them think as lawyers.

The scholar was respected, the teacher esteemed, but the wise-hearted man was beloved. His genuine interest in his students' work, his lofty ideals of the true lawyer, his personal charm won their hearts. As Austin G. Fox said of Langdell, "Who can estimate how much we owe not merely to your instruction, which never suggested the pedagogue, but to that gentle influence which came to us as an emanation."

Julian W. Mack.

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By Pach

A. W. Wilson & Co. Boston

James Barr Ames